

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Wireless Telecommunications Bureau)	WT Docket No. 02-46
Seeks Comment on Report on)	
Technical and Operational Wireless)	
E911 Issues)	

REPLY COMMENTS OF VERIZON WIRELESS

Verizon Wireless hereby responds to the comments filed in this proceeding on the Report of Dale N. Hatfield (“Hatfield Report” or “Report”). The Hatfield Report contained, among other things, the author’s recommendations for addressing remaining obstacles to full deployment of enhanced 911 (“E911”) services. Verizon Wireless supports the exhaustive effort undertaken by Mr. Hatfield and the thoughtfulness of the Report. Unfortunately, the Commission’s latest *Order on Reconsideration of the City of Richardson* seems to ignore the findings of the Report in favor of more unnecessary regulation of wireless carriers.¹ The Commission appears to have paid scant attention to the Hatfield Report and commentators’ emphasis on practical solutions and the need for coordinated problem solving. Verizon Wireless agrees with the Report that all stakeholders should work cooperatively to deploy E911 and supports its focus on implementing solutions instead of proposing more punitive regulations.

¹ *Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Order on Reconsideration, CC Docket No. 94-102, rel. November 26, 2002 (“*Richardson Recon.*”).

The complexity and cost of the E911 mandate has been center stage from the outset of the proceeding. There is no magic bullet fix – and the FCC should not interpret the Hatfield Report as having provided the definitive answers, but rather as a set of recommendations that may or may not have practical application and financial support. Verizon Wireless has specific concerns about a few areas: (1) PSAP/LEC readiness; (2) end-to-end accuracy testing; and (3) establishment of additional federal bodies or entities.

A. THE IMPORTANCE OF PSAP AND LEC PREPARATIONS TO SPEED DEPLOYMENTS CAN NOT BE OVERSTATED

NENA, APCO and NASNA (collectively, “PSAP Organizations”) noted that the Hatfield Report focuses on current PSAP and LEC issues instead of past challenges faced by wireless carriers to bring E911 technologies to the market.² Verizon Wireless agrees with the forward-looking approach taken by the Report. The PSAP Organizations acknowledged that wireless carriers are now actively deploying the requested services and there is a need for simultaneous readiness by all parties: “Now that they are beginning to come up to speed, wireless carriers have good cause to expect 911 authorities and LECs to be prepared to implement at or near the same time the carriers are ready.”³ All stakeholders have had the same period of time to prepare for E911. Now, any remaining obstacles or endemic problems must be resolved.

The PSAP Organizations described their activities (some spanning multiple years) that are “all aimed at helping the PSAPs, the LECs and the wireless carriers arrive at a common definition of readiness for deployment” in order to reduce “false positives” in PSAP readiness, which occurs when PSAPS who requested the service assumed they

² NENA, APCO, NASNA comments at 13.

were prepared for E911 but are not.⁴ Verizon Wireless urges these organizations to complete the education of their membership on the technical details of E911 and specific tasks that must be completed. This should help stem the flow of any blind requests to wireless carriers and will help engender realistic expectations for when E911 deployments can be completed.

Verizon Wireless takes exception to the statement by PSAP Organizations that “many carriers tend to be reactive to FCC requirements, doing only what is required by rule, and not what is necessary to get the job done as quickly as possible.”⁵ Verizon Wireless continues to work with PSAPs even when presented with false positives and LEC issues. The PSAP Organizations give little, or begrudging, acknowledgement of the successes of E911 deployment through the diligent efforts of wireless carriers. On this basis, as well as the lack of concrete evidence, Verizon Wireless rejects the concept of “false negatives” coined in the PSAP Organizations’ comments to refer to claims by wireless carriers that a PSAP is not ready. To the contrary, Verizon Wireless has a vested interest in meeting its deployment obligations. Nothing is gained by declining to fulfill a request in a given area where the PSAP is ready, given that Verizon Wireless has already deployed Phase II capability throughout most of its network.

Conversely, the danger of PSAP false positives -- with which Verizon Wireless has first-hand experience -- is deploying resources to an area and discovering in the middle of a deployment that the PSAP is not completely prepared. In those circumstances, Verizon Wireless has had to either await resolution or abandon the effort and return again later. The real and opportunity costs of such occurrences are avoidable.

³ *Id.*

⁴ *Id.* at 14.

The spotlight on wireless carriers has now been reinforced with additional regulation.⁶ Instead of just focusing on wireless carriers, the Commission must pay more attention to the fact that many PSAPs that have requested Phase II E911 service are not in fact capable of receiving location data, a fact documented by the Hatfield Report.⁷ The Commission's current preoccupation with imposing further exacting regulations on wireless carriers has led to the placement of an undue and unwarranted regulatory burden on wireless carriers to catalogue and certify reasons for stalled deployments caused by PSAPs (and their LECs or other vendors).⁸

Wireless carriers enlisted the support of the PSAP Organizations to help solve the PSAP false positives problem during the en banc meeting convened by Dr. Hatfield last April. The PSAP Organizations state in their comments that a "Wireless E91-1 Phase II Readiness Checklist" has been formally adopted by the Emergency Services Interconnection Forum ("ESIF") and will be placed on the record of this proceeding.⁹ Verizon Wireless urges the FCC to review that document, make any necessary changes, and sanction use of the checklist by wireless carriers and PSAP Organizations to improve the rollout of E911. The checklist could be a useful tool for educating the PSAPs regarding necessary tasks and upgrades that must be completed to receive and use the E911 location data. This approach should be a more direct and effective solution than requiring wireless carriers to explain why PSAPs, who requested the service in the first instance, caused the deployment to be delayed.

⁵ *Id.* at 4.

⁶ *See Richardson Recon.*, CC Docket No. 94-102, rel. November 26, 2002.

⁷ Hatfield Report at iii, 28-32.

⁸ *Richardson Recon.* at ¶ 15-20.

⁹ NENA, APCO, NASNA comments at 14.

B. NO NEW REGULATIONS ARE NECESSARY TO ENSURE ADEQUATE TESTING

Several commentors support elaborate testing regimes and offer their company's services to accomplish the same.¹⁰ Currently, carriers are focusing on deploying E911 as quickly as possible with any requesting PSAPs. Carriers perform end-to-end testing for each deployment. It is premature to overhaul current practices and divert attention away from deployments, especially now that carriers are facing critical milestone deadlines. No new regulations related to testing are necessary. All stakeholders need to continue to focus on achieving a critical mass of E911 capable PSAPs in the nation to promote public safety. Verizon Wireless cannot endorse vendors' claims as justification for reallocating finite resources at this time. If the FCC adopts the Hatfield Report's call for industry-wide test standards and accessible test beds, this issue can be addressed prospectively by the industry in full consultation with other stakeholders, but should not be used to forestall current deployment efforts.

Moreover, this testing issue should not be leveraged by vendors to promote their products in the name of regulatory flexibility or otherwise.¹¹ Carriers can best discern what products and services will work in their networks without additional regulation. E911 is complex enough without second-guessing technology choices this late in the process.

¹⁰ Comments of Spirent Communications, Inc. at 1, 4-5; TechnoCom Corporation at 3, 6-7; RCC Consultants, Inc. at 2, 4-7; Global Locate at 2.

¹¹ *Id.*

C. COMMENTORS CORRECTLY NOTE THE CHALLENGES OF CREATING FEDERAL ENTITIES

The Hatfield report presented two ideas related to the formation of federal entities: a National Program Office and a Federal Advisory Group under the auspices of the Federal Advisory Committee Act (“FACA”).¹² Verizon Wireless agrees with CTIA that a formal advisory committee is not the best method for facilitating information among stakeholders. FACA committees are governed by statute and operate under administrative processes and procedures that take time to implement and limit the agility of the group.¹³ The last thing the E911 stakeholders need is be bogged down in a bureaucratic quagmire. The PSAP Organizations expressed concern that establishing an advisory committee at this late date might risk unnecessary delay.¹⁴ The essential goals of collaboration and synergy can be achieved, and have begun to be achieved today, through less formal means.¹⁵

¹² Hatfield Report at iv, 17, 23, 29-31.

¹³ See CTIA comments at 8-9 (citing subsections of 41C.F.R. § 102-3). See NENA, APCO, NASNA comments at 6.

¹⁴ NENA, APCO, NASNA comments at 6.

¹⁵ Verizon Wireless and other stakeholders participate in the ESIF.

CONCLUSION

The Hatfield Report's forward-looking approach to solving problems should be adopted by the FCC instead of additional regulation of wireless carriers. As to the Report's specific recommendations and the comments in this proceeding, Verizon Wireless urges the FCC to act consistent with its concerns expressed herein.

Respectfully submitted,

VERIZON WIRELESS

By: John T. Scott, III
John T. Scott, III
Vice President and Deputy General Counsel
-- Regulatory Law
Lolita D. Smith
Associate Director Regulatory Matters
1300 I Street, N.W., Suite 400 West
Washington, D.C. 20005
(202) 589-3760

Its Attorneys

December 3, 2002

Certificate of Service

I hereby certify that on this 3rd day of December copies of the foregoing “Reply Comments of Verizon Wireless” in WT Docket 94-102 were sent by U.S. Mail or electronic mail to the following parties:

Chief, Policy Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Qualex International
qualexint@aol.com

Michael F. Altschul
CTIA
Suite 800
1250 Connecticut Avenue, NW
Washington, DC 20036

Richard Lee
Global Locate
3190 S. Bascom Avenue
San Jose, CA 95124

Michael Hunter
RCC Consultants, Inc.
100 Woodbridge Center Drive
Woodbridge, NJ 07095

James R. Hobson
Counsel for NENA and NASNA
Miller & Van Eaton, PLLC
Suite 1000
1155 Connecticut Avenue, NW
Washington, DC 20036

Robert M. Gurss
Counsel for APCO
Shook Hardy & Bacon, LLP
600 14th Street, NW – Suite 800
Washington, DC 20005

David Gellerman
Spirent Communications, Inc.
15200 Omega Drive
Rockville, MD 20850

Preston “Cinco” Plumb
TechnoCom Corporation
681 Encinitas Blvd., Suite 406
Encinitas, CA 92024



Sarah E. Weisman